

**COPY
FILED**

IN THE UNITED STATES DISTRICT COURT FEB 7 - 2005
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA
U.S. DISTRICT COURT
CLARKSBURG, WV 26301

UNITED STATES OF AMERICA,

Plaintiff,

v.

Criminal No. 1:05 CR 04

DANIEL WILSON TESTERMAN,

Defendant.

MOTION TO CONTINUE

NOW COMES the Defendant, DANIEL WILSON TESTERMAN, by and through his attorney, GEORGE J. COSENZA, and moves the Court to continue the trial in the above-cited case scheduled on March 28, 2005, at 9:30 a.m. on the grounds that Defendant's counsel is previously scheduled to be out of West Virginia on vacation from March 23, 2005 through and including March 28, 2005. The Defendant waives his right to a speedy trial as contained in the Waiver attached hereto as Exhibit "A".

Dated this 3 day of February, 2005.


George J. Cosenza WV Bar No. 833
COSENZA & MERRIMAN, PLLC
515 Market Street - P.O. Box 4
Parkersburg, WV 26102
(304) 485-0990
Counsel for Defendant

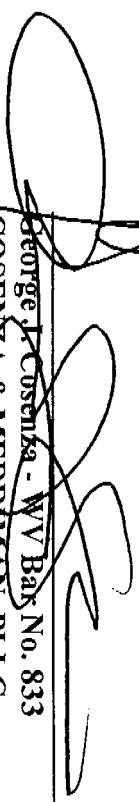
DANIEL WILSON TESTERMAN,

Defendant.

WAIVER

The Defendant, DANIEL WILSON TESTERMAN, hereby waives his right to a speedy trial in the above-cited matter.

Dated this 3 day of February, 2005.



George J. Cosenza - WV Bar No. 833
COSENZA & MERRIMAN, PLLC

515 Market Street - P.O. Box 4

Parkersburg, WV 26102

(304) 485-0990

Counsel for Defendant

Daniel Wilson Testerman

DANIEL WILSON TESTERMAN, Defendant

EXHIBIT

tabbles®

"A" _____

UNITED STATES OF AMERICA, v. 3
United States Attorney, 3
3 day of February,

3 day of February,

West Pike Street, Suite 300, Clarksburg, West Virginia
2005.

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